



# Capitol Report

**News & Updates from Your State Capitol**  
**By Arkansas Secretary of State Charlie Daniels**

## When You Vote on Nov. 4, Arkansas Wins



Are you ready to be heard on Election Day? I want to help make sure that you are, which is why I'm happy to bring you this special Elections Edition of our Capitol Report newsletter. Inside you'll find helpful information on checking your voter registration, voting early and requesting an absentee ballot, as well as the candidates and issues that will be on your ballot.

For more answers on voting in the Natural State, visit our website [www.VoteNaturally.org](http://www.VoteNaturally.org). Whether you're a first-time voter or just need a few reminders, you can learn what to expect when voting, watch videos on how to use the voting machine in your county and check out frequently asked questions.

That website is the centerpiece of our voter education efforts. My office has been working to make Arkansans aware of the voter registration deadline and early voting dates so they can avoid long lines on Election Day. Through our voter education campaign Are You Ready to Be Heard?, we've forged partnerships

with newspapers and broadcast stations across the state to run public service announcements to help make voters aware of registration deadlines and other voting reminders.

The internet also offers many opportunities for reaching other groups that favor non-traditional media. Local media websites and social networks allow us to adjust the message quickly and economically. Plus, they allow users to post questions and comments, giving them another way to become active in the voting process. We hope you'll visit the state's **YouTube** portal at [www.arkansas.gov](http://www.arkansas.gov), and if you're on **Facebook**, join our group RU Ready 2B Heard.

And remember, you can vote early October 20 through November 3, or go to the polls on Election Day, November 4. Be heard, because when you vote, Arkansas wins!



## Frequently Asked Voting Questions

**Q: Is it true that I will not be allowed to vote if I'm wearing a shirt or sticker for a certain candidate?**

**A:** While it's true that Arkansas law prohibits anyone from bringing or wearing campaign materials within 100 feet of a polling site (called electioneering), you will NOT be turned away from voting for doing so. Election officials will ask you to remove any buttons, stickers or hats; if it's an article of clothing, the official will ask you to cover the message. You won't be denied your right to vote, but election officials must protect everyone's right to cast their ballot in a neutral environment without feeling pressured to make a particular choice. If you see electioneering at your polling site, report it to your county board of election commissioners.

**Q: Am I required to request a separate Application for Absentee Ballot for every election?**

**A:** If you reside within your county of registration, one Application for Absentee Ballot serves one election and its corresponding runoff. You must submit a new application for each election cycle.

If you reside outside your county of registration (such as students or military voters), are disabled or reside in a long-term care facility, you will automatically receive a ballot for each election for the next year.

If you are a citizen temporarily residing outside the territorial limits of the United States, you may receive absentee ballots through the next two regularly scheduled general elections for federal office, including any runoff elections that may occur as a result of the outcome of the general election.

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[www.VoteNaturally.org](http://www.VoteNaturally.org)



### Early, Absentee Ballots Offer Convenience for Voters

Busy schedules, travel, illness or just the desire to avoid waiting in line – all reasons Arkansas voters may have trouble making it to their polls on Election Day. But Arkansas has removed those barriers with two convenient options that allow voters to cast a ballot on their own schedule. Citizens may vote early beginning October 20 or request an absentee ballot by contacting their county clerk. Read on to determine which voting option is best for you.

#### Avoid the Wait – Vote Early!

Arkansas's most convenient option for casting your ballot is the Early Voting period, Oct. 20-Nov. 3. This period allows you to vote at your convenience during the 15 days leading up to Election Day, even on Saturdays. Hours for early voting during the General Election are 8 a.m. to 6 p.m. on weekdays and 10 a.m. to 4 p.m. on Saturdays, so it's easy to fit a trip to the polls into your schedule. An added bonus to early voting is the reduced wait; most sites have short waiting lines or none at all, especially during the first week of voting.

While absentee voters must be “unavoidably absent” from their polling site on Election Day, registered voters don't need a reason to vote early. They simply present themselves at the early voting location, just as they would at their regular Election Day polling site without additional forms or requirements.

Locations vary by county, but most conduct early voting at the county clerk's office. Several counties offer voting away from

the courthouse, some in multiple locations. For the early voting site in your area, watch for the listing in your local newspaper or contact your county clerk's office or county election commission.

#### Absentee Voting

To qualify for absentee voting, voters must fall under one of two categories: the voter will be unavoidably absent from his or her polling site on Election Day; or the voter will be unable to attend their polling site due to illness or physical disability.

There are several simple steps to casting an absentee ballot:

1. Request an absentee ballot application from the county clerk in your county of residence. The clerk can mail or fax the form to you.
2. Complete the application and return to the clerk's office before the deadline. You may elect to receive the ballot by mail or have a representative pick it up for you.
3. The ballot will be mailed to you; complete it and mail it back by the deadline.

The deadline for absentee ballot application depends on how the application is delivered back to the county clerk's office:

**By mail or fax** – by Oct. 28.

**In person by the voter or designated bearer** – by the close of business on Nov. 3.

**Delivered by an authorized agent** – by 1:30 p.m. on Election Day, Nov. 4.

There are also deadlines for returning absentee ballots. For more information, contact your county clerk or visit [www.VoteNaturally.org](http://www.VoteNaturally.org).



### ID Requirements for First-Time Voters

Arkansas voters who registered by mail must provide their driver's license number; the last four digits of their Social Security number or indicate that they do not possess either form of ID. Registrants are also encouraged to include a photocopy of an accepted form of ID with their application.

If they did not include the photocopied ID with the registration form, first-time voters will be asked for photo identification at their polling site. Accepted forms of ID include one of the following: current and valid photo

identification; a copy of a current utility bill, bank statement, government check or paycheck with the voter's name and address; or other government document that shows the voter's name and address.

First-time voters who do not provide ID may be required to vote a provisional ballot so that their registration status can be confirmed. The election official must provide written instructions on how the voter will be notified whether the provisional vote was counted.



## **Certified Candidates & Ballot Issues for the November 4, 2008 Election**

Listed below are the candidates for contested district, state and federal races, as well as the ballot issues you'll find on the ballot for Nov. 4. For more information on the candidates, visit **[www.alelections.org](http://www.alelections.org)**. Watch your local newspaper for sample ballots that include municipal and county-wide races.

### **U.S. President & U.S. Vice President**

Chuck Baldwin, President (Constitution)  
Darrell L. Castle, Vice President (Constitution)

Barack Obama, President (Democrat)  
Joe Biden, Vice President (Democrat)

Cynthia McKinney, President (Green)  
Rosa Clemente, Vice President (Green)

Ralph Nader, President (Independent)  
Matt Gonzalez, Vice President (Independent)

Bob Barr, President (Libertarian)  
Wayne Allyn Root, Vice President (Libertarian)

John McCain, President (Republican)  
Sarah Palin, Vice President (Republican)

Gloria La Riva, President (Socialism & Liberation)  
Eugene Puryear, Vice President (Socialism & Liberation)

### **U.S. Senate**

U.S. Senator Mark Pryor (Democrat)  
Rebekah Kennedy (Green)

### **U.S. Congress Dist. 2**

Congressman Vic Snyder (Democrat)  
Deb McFarland (Green)  
Danial Suits (Write-In)

### **U.S. Congress Dist. 3**

Abel Noah Tomlinson (Green)  
Congressman John Boozman (Republican)

### **U.S. Congress Dist. 4**

U.S. Congressman Mike Ross (Democrat)  
Joshua Drake (Green)

### **State Senate Dist. 30**

Joe White (Democrat)  
Senator Gilbert Baker (Republican)

### **State Senate Dist. 32**

Rep. David Johnson (Democrat)  
Scott Pfleegor (Write-In)

### **State Rep. Dist. 3**

Rep. David "Bubba" Powers (Democrat)  
Evelyn Joyce Bradford (Republican)

### **State Rep. Dist. 13**

State Rep. Clark M. Hall (Democrat)  
Mal Stokes (Independent)

### **State Rep. Dist. 14**

Tiffany Rogers (Democrat)  
Harvey W. Edwards, Jr. (Write-In)

### **State Rep. Dist. 15**

Walls McCrary (Democrat)  
Trent Eilts (Independent)  
Doug Hatcher (Republican)

### **State Rep. Dist. 28**

Barbara Nix (Democrat)  
David McCoy (Republican)

### **State Rep. Dist. 29**

Scott Smith (Democrat)  
Ann V. Clemmer (Republican)

### **State Rep. Dist. 33**

State Rep. Fred Allen (Democrat)  
Conrad Harvin (Green)

### **State Rep. Dist. 34**

Rep. Wilhelmina Lewellen (Democrat)  
Herbert L. Broadway (Republican)

### **State Rep. Dist. 38**

John C. Edwards (Democrat)  
Kelly Eichler (Republican)

### **State Rep. Dist. 39**

Richard Carroll (Green)  
L. Green (Write-In)  
Clinton R. Hampton (Write-In)



### **State Rep. Dist. 42**

Val Yagos (Democrat)  
Gene Mason (Green)  
Jane English (Republican)

### **State Rep. Dist. 43**

Jim Nickels (Democrat)  
Steven Meckfessel (Republican)

### **State Rep. Dist. 45**

Linda S. Tyler (Democrat)  
Bill Fechtelkottter (Republican)

### **State Rep. Dist. 49**

Kieth Williams (Democrat)  
Jonathan Dismang (Republican)

### **State Rep. Dist. 50**

Monty Betts (Democrat)  
Brian Barnett (Green)  
Alderman Kyle Reeves (Republican)

### **State Rep. Dist. 54**

State Rep. Otis Davis (Democrat)  
Robert E. (Bob) Philyaw (Independent)

### **State Rep. Dist. 62**

Bill Walters (Democrat)  
Terry Rice (Republican)

### **State Rep. Dist. 64**

Mike Bock (Democrat)  
Stephanie Malone (Republican)

### **State Rep. Dist. 67**

State Rep. Steve Breedlove (Democrat)  
Jon Van Gorder (Republican)

### **State Rep. Dist. 68**

Thomas Akin (Democrat)  
Mary Boley (Green)  
Andrea Lea (Republican)

### **State Rep. Dist. 70**

J. Patrick Bewley (Democrat)  
Jeff Hall (Independent)  
Marjorie LeClair (Independent)  
Robert E. Dale (Republican)



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## State Rep. Dist. 73

State Rep. J.R. Rogers (Democrat)  
Chad Moseley (Republican)

## State Rep. Dist. 81

Danny K. Rowe (Democrat)  
Bonnie B. Brown (Independent)  
Karen Hopper (Republican)

## State Rep. Dist. 85

Bill Witty (Democrat)  
John Burris (Republican)

## State Rep. Dist. 87

Earl J. Hunton (Democrat)  
Rep. Mark Martin (Republican)

## State Rep. Dist. 89

State Rep. Jim House (Democrat)  
Gene Long (Republican)

## State Rep. Dist. 90

Wendy Crow (Green)  
State Rep. Roy Ragland (Republican)

## State Rep. Dist. 91

David A. Stoppel (Democrat)  
State Rep. Bryan B. King (Republican)

## Nonpartisan Judicial Runoff Election

Circuit Judge, Dist. 6, Division 11, SubDist. 6.2

Cathi Compton  
Melinda Gilbert

Circuit Judge, Dist. 14, Division 1

Gail Campbell  
Senator Shawn A. Womack

Circuit Judge, Dist. 15, Division 1

Judge Brian K. Mueller  
Judge Jerry Don Ramey

Circuit Judge, Dist. 22, Division 4

Robert Herzfeld  
Paul White

## Special General Election

Prosecuting Attorney, Dist. 9-West

Bryan L. Chesshir (Democrat)  
Jay P. Metzger (Independent)

## Ballot Issues

### REFERRED QUESTION NO. 1

**(Act 631 of 2007. Referred to the People by the General Assembly)**

#### Popular Name

*Arkansas Water, Waste Disposal, And Pollution Abatement Facilities Financing Act Of 2007*

#### Ballot title

“Shall the Arkansas Natural Resources Commission be authorized to issue general obligation bonds under the authority of the Arkansas Water, Waste Disposal And Pollution Abatement Facilities Financing Act Of 2007, for the financing and refinancing of the development of water, waste disposal, water pollution control, abatement and prevention, drainage, irrigation, flood control, and wetlands and aquatic resources projects to serve the citizens of the state of Arkansas, in total principal amount not to exceed three hundred million dollars (\$300,000,000), with no more than one hundred million dollars (\$100,000,000) of such bonds to be issued to finance and refinance the development of irrigation facilities, in series from time to time in principal amounts not to exceed, without prior approval of the General Assembly, sixty million dollars (\$60,000,000) in any fiscal biennium, which bonds shall be secured by a pledge of the full faith and credit of the state of Arkansas?”

### PROPOSED CONSTITUTIONAL AMENDMENT NO. 1

**(Referred to the People by the General Assembly)**

#### Popular Name

*An amendment concerning voting, qualifications of voters and election officers, and the time of holding general elections*

#### Ballot title

Amending various provisions of the Arkansas Constitution concerning voting and elections; providing that all persons may vote who are citizens of the United States, residents of the State of Arkansas, at least eighteen (18) years of age, and lawfully registered to vote; to repeal the requirement that the right to vote shall not be made to depend on any previous registration of an elector's name; repealing Article 3, Section 5 of the Arkansas Constitution providing that no idiot or insane person shall be entitled to the privileges of an elector; and permitting the General Assembly to establish the date and time of elections and the qualifications of election officers.

### PROPOSED CONSTITUTIONAL AMENDMENT NO. 2

**(Referred to the People by the General Assembly)**

#### Popular Name

*An amendment providing that no legislative appropriation shall be for a period longer than one year, providing for fiscal legislative sessions, requiring the General Assembly to meet every year with regular sessions continuing to be held in odd-numbered years and fiscal sessions held in even-numbered years, unless the General Assembly votes to hold regular sessions in even-numbered years and fiscal sessions in odd-numbered years, and allowing the General Assembly to consider non-fiscal matters during a fiscal session upon approval of two-thirds of both houses*

#### Ballot title

Proposing a constitutional amendment to reduce the period for which appropriation bills are valid from two (2) years to one (1) fiscal year; to require the General Assembly to meet in a limited fiscal session during even-numbered years to consider appropriation bills; to establish the length of sessions; and to make conforming amendments to reflect the changes proposed in this amendment.

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## PROPOSED CONSTITUTIONAL AMENDMENT NO. 3 (Proposed by Petition of the People)

### Popular Name

*A constitutional amendment authorizing the General Assembly to establish, operate, and regulate state lotteries to fund scholarships and grants for Arkansas citizens enrolled in certified two-year and four-year colleges and universities in Arkansas*

### Ballot title

An amendment to the Arkansas Constitution authorizing the General Assembly to enact laws to establish, operate, and regulate state lotteries; requiring lottery proceeds to be used solely to pay the operating expenses of lotteries, including all prizes, and to fund or provide for scholarships and grants to citizens of this state enrolled in public and private non-profit two-year and four-year colleges and universities located within the state that are certified according to criteria established by the General Assembly; requiring the General Assembly to establish criteria to determine who is eligible to receive the scholarships and grants; declaring that lottery proceeds shall not be subject to appropriation by the General Assembly; declaring lottery proceeds to be cash funds held in trust separate and apart from the state treasury to be managed and maintained by the General Assembly or an agency or department of the state as determined by the General Assembly; requiring lottery proceeds remaining after payment of operating expenses and prizes to supplement, not supplant, non-lottery educational resources; declaring that this amendment does not repeal, supersede, amend or otherwise affect Amendment 84 to the Arkansas Constitution or games of bingo and raffles permitted therein; prohibiting lotteries and the sale of lottery tickets except as herein specifically provided.

## PROPOSED INITIATIVE ACT NO. 1 (Proposed by Petition of the People)

### Popular Name

*An act providing that an individual who is cohabitating outside of a valid marriage may not adopt or be a foster parent of a child less than eighteen years old*

### Ballot title

A proposed act providing that a minor may not be adopted or placed in a foster home if the individual seeking to adopt or to serve as a foster parent is cohabiting with a sexual partner outside of a marriage which is valid under the constitution and laws of this state; stating that the foregoing prohibition applies equally to cohabiting opposite-sex and same-sex individuals; stating that the act will not affect the guardianship of minors; defining "minor" to mean an individual under the age of eighteen (18) years; stating that the public policy of the state is to favor marriage, as defined by the constitution and laws of this state, over unmarried cohabitation with regard to adoption and foster care; finding and declaring on behalf of the people of the state that it is in the best interest of children in need of adoption or foster care to be reared in homes in which adoptive or foster parents are not cohabiting outside of marriage; providing that the Director of the Department of Human Services shall promulgate regulations consistent with the act; and providing that the act applies prospectively beginning on January 1, 2009.

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**Q: My neighbor moved across town to another precinct but still votes at the same poll I do. Is that okay?**

**A:** Current law does not allow a voter to cast a ballot anywhere other than the poll assigned to the voter's current residence by the county election commission (or a designated early voting site). It is possible that your neighbor's new precinct actually votes at the same polling site or that your neighbor is living temporarily in a new location and would not be required to change registration. Voters who move within 30 days before an election should notify the county clerk as soon as possible to change their address and confirm their new polling site. Voters whose names do not appear on the voter list at the new precinct will still be allowed to vote under the "fail-safe" provision of the National Voter Registration Act as long as the move was within the same county. That ballot will be counted only after registration status is verified. (Ark. Const. Amend. 51; ACA 7-5-305)

**Q: Are poll workers permitted to take a ballot to a disabled voter waiting in a car outside the polling site? It seems like a kind thing to do, but is it legal?**

**A:** No. Ballots cannot be removed from the polling place during an election (ACA 7-5-103). Any person who registered to vote but is unable to go to the polls

may obtain an absentee ballot. If a voter can get to the polls but cannot stand in line, the law allows that person to request to be moved to the front of the line. (ACA 7-5-310)

**Q: After I voted, I handed my ballot to the election official, but I never saw her put it in the ballot box. Are there procedures for election officials to follow so that my ballot is secret and my vote is counted?**

**A:** The voter should personally insert his or her ballot into the ballot box (ACA 7-5-309). If you suspect that your ballot was mishandled, you should contact your county board of election commissioners, county clerk or prosecuting attorney as soon as possible.

**Q: Can someone trace my ballot and see how I voted?**

**A:** It is a matter of public record that you voted and that you voted in a particular party's primary. However, your ballot and your preferences on it cannot be traced back to you.

**Q: Does one vote really make much difference?**

**A:** It's not uncommon for elections to be decided by very narrow margins, especially in local issues. In 1998, three municipal elections in Arkansas were won by a single vote. More recently, a 2005 local initiative in Hot Springs passed by only 89 of the 9,401 votes cast. Just a handful of voters — sometimes even just one vote — can make a huge impact.







10-08

## Charlie Daniels

Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)  
501.682.1010

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Capitol Report – Election Edition 2008

## On the Move? *Keep Your Address Current*

Changing households is always a hectic time of paperwork and packing. With so many accounts to update with a new address, voter registration is often one of the last items to be changed. However, that leads to a common Election Day issue – voters who are not on the registration list for the precinct in which they live. The result is confusion and a longer wait at the polls and sometimes even a drive to another polling site in order to cast a ballot.

It's simple to avoid that hassle, however – make sure your voter information is current before arriving at the polls. Now it's easier than ever to check your info at [www.VoteNaturally.org](http://www.VoteNaturally.org). Click on the Voter View link and enter some basic information to see your registered address and the location of your polling site. You can also contact your county clerk to check that info for you. If you need to make a change, the Arkansas voter registration application also serves as your change-of-address form.

Arkansas law does allow voters to transfer from one county to another up to four days before Election Day. Also under “fail-safe voting,” registered voters area allowed to change their address at the polling site on Election Day if they have moved within the same county in which they're registered. If you moved to a different precinct, however, be prepared to travel to your new polling site to vote. You'll waste less time – and less gas – by making the change before Nov. 4.

